

1656



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-713-B1)

In the Application of:

Chad A. Mirkin, et al.)
Serial No.: 09/923,625)
Filed: August 7, 2001)
For: NANOPARTICLES HAVING)
OLIGONUCLEOTIDES ATTACHED)
THERETO AND USES THEREFOR)

TECH CENTER 1600/2800

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MAY 16 2002

)
Examiner: J. Riley
Group Art Unit: 1656
)
)

TRANSMITTAL LETTER

Asst. Commissioner for Patents
Washington, D.C. 20231

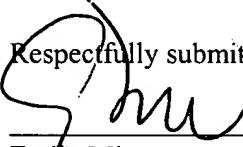
Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:
 - a) Information Disclosure Statement;
 - b) U.S. PTO 1449 Form with copies of 16 references; and
 - c) Return Postcard.
2. With respect to fees:
 - a) No fee is attached.
 - b) General Authorization: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on this 17 day of October, 2001.

Date: 10/17/01

Respectfully submitted,


 Emily Miao
 Registration No. 35,285



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 00-713-B1)

#71 Prior Art
May
5/21/02

In the Application of:)
Chad A. Mirkin, et al.)
Serial No. 09/923,625) Examiner: J. Riley
Filed: August 7, 2001) Art Unit: 1656
For: NANOPARTICLES HAVING)
OLIGONUCLEOTIDES ATTACHED)
THERETO AND USES THEREFOR)

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Mroczkowski, et al., U.S. Patent No. 5,284,748, issued 02/08/94.

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

2. Engelhardt, et al., U.S. Patent No. 5,288,609, issued 02/22/94.
3. Hainfeld, et al., U.S. Patent No. 5,360,895, issued 11/01/94.
4. Kidwell, et al., U.S. Patent No. 5,384,265, issued 01/24/95.
5. Beebe, et al., U.S. Patent No. 5,472,881, issued 12/05/95.
6. Stimpson, et al., U.S. Patent No. 5,599,668, issued 02/04/97.
7. Kidwell, et al., U.S. Patent No. 5,637,508, issued 06/10/97.
8. Alivisatos, et al., U.S. Patent No. 5,751,018, issued 05/12/98.
9. Hansen, et al., U.S. Patent No. 5,939,021, issued 08/17/99.
10. Weiss, et al., U.S. Patent No. 5,990,479, issued 11/23/99.
11. International Application No. WO 93/10564, published 27 May 1993.
12. International Application No. WO 98/10289 published, 12 March 1998.
13. International Application No. WO 99/23258 published, 14 May 1999.
14. International Application No. WO 99/21934 published, 06 May 1999.
15. International Application No. WO 99/20789 published 29, April 1999.
16. O.D. Velev, et al., "In Situ Assembly of Collordal Particles into Miniaturized Biosensors," *Langmuir*, May 25, 1999, Vol. 15, No. 11, pp. 3693-3698 (May 25, 1999)

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each

document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Emily Miao
Registration No. 35,285

Dated: Oct 17, 2001

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